

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BAY AREA UNITARIAN
UNIVERSALIST CHURCH; DRINK
HOUSTON BETTER, LLC d/b/a
ANTIDOTE COFFEE; PERK YOU
LATER, LLC,

Plaintiffs,

v.

KIM OGG, District Attorney for Harris
County, in her official capacity; ED
GONZALEZ, County Sheriff for Harris
County, in his official capacity; PETE
BACON, Chief of Police for the Webster
Police Department, in his official capacity;
TROY FINNER, Chief of the Houston
Police Department, in his official capacity,

Defendants.

CIVIL ACTION NO. 4:20-cv-3081

NOTICE OF APPEAL

Notice is hereby given that Bay Area Unitarian Universalist Church, Drink Houston Better, LLC d/b/a Antidote Coffee, and Perk You Later, LLC, Plaintiffs in the above-captioned case, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the final judgment entered on March 16, 2023 (Docket Entry No. 176), and from all adverse orders, opinions, decisions and rulings in this action underlying that judgment, including the Order granting Defendant Finner's Rule 12(c) motion for judgment on the pleadings, entered on September 29, 2022 (Docket Entry No. 146), and the Order denying Plaintiffs' motion for leave to file an amended complaint, granting the Harris County Officials' Rule 12(c) motion for judgment on the pleadings,

and granting Defendant Pete Bacon's motion to dismiss for lack of subject matter jurisdiction, entered on March 16, 2023 (Docket Entry No. 175).

Dated: April 14, 2022

Respectfully submitted,

/s/ William R. Taylor

William R. Taylor (Attorney-In-Charge)

TX State Bar No. 24070727

S.D. Tex. Bar No. 1061206

wrtaylor@jonesday.com

JONES DAY

717 Texas, Suite 3300

Houston, Texas 77002

Telephone: +1.832.239.3860

Facsimile: +1.832.239.3600

Charlotte H. Taylor

Admitted *pro hac vice*

Lesley Roe

Admitted *pro hac vice*

JONES DAY

51 Louisiana Avenue, N.W.

Washington, D.C. 20001

Telephone: +1.202.879.3939

Facsimile: +1.202.626.1700

ctaylor@jonesday.com

lroe@jonesday.com

Alla Lefkowitz

Admitted *pro hac vice*

Andrew Nellis

Admitted *pro hac vice*

EVERYTOWN LAW

450 Lexington Avenue

P.O. Box 4184

New York, NY 10017

Telephone: +1.646.324.8365

alefkowitz@everytown.org

anellis@everytown.org

Ryan Gerber

Admitted *pro hac vice*

Laura Keeley

Admitted *pro hac vice*
EVERYTOWN LAW
450 Lexington Avenue
P.O. Box 4184
New York, NY 10017
Telephone: (646) 324-8198
rgerber@everytown.org
lkeeley@everytown.org

Attorneys for Plaintiffs